

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Juanita Wilson,)	
)	
Plaintiff,)	
)	Civil Action No. 2:22-cv-3594-BHH
v.)	
)	
Wells Fargo Bank,)	<u>ORDER</u>
)	
Defendant.)	
)	

This matter is before the Court upon Plaintiff Juanita Wilson's ("Plaintiff") pro se complaint, which was referred to a United States Magistrate Judge for preliminary determinations in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d), D.S.C. On April 4, 2023, the Magistrate Judge issued an order directing Plaintiff to file certain documents to bring her case into proper form and granted Plaintiff time to file an amended complaint to cure material defects in her initial complaint. Because Plaintiff failed to bring her case into proper form or file an amended complaint, the Magistrate Judge issued a report and recommendation ("Report") on June 13, 2023, outlining the issues and recommending that the Court dismiss this action with prejudice, without further leave to amend, and without issuance and service of process. Attached to the Magistrate Judge's Report was a notice advising Plaintiff of the right to file written objections to the Report within fourteen days of being served with a copy. To date, no objections have been filed.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court

is charged with making a *de novo* determination only of those portions of the Report to which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the matter only for clear error. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Here, because no party has filed objections to the Report, the Court has reviewed the record, the applicable law, and the findings and recommendations of the Magistrate Judge for clear error. After review, the Court finds no clear error and agrees with the Magistrate Judge’s analysis. Accordingly, the Court adopts and incorporates the Magistrate Judge’s Report (ECF No. 29), and the Court dismisses this action with prejudice, without further leave to amend, and without issuance and service of process.

IT IS SO ORDERED.

/s/Bruce H. Hendricks
United States District Judge

July 10, 2023
Charleston, South Carolina